

REMARKS

Applicant respectfully requests reconsideration and allowance of the subject application. Claims 1-20 were originally presented. Claims 1, 9 and 16
5 are amended. Claims 8 and 14 are canceled. Claims 1-7, 9-13 and 15-20 are pending in the present application.

Specification

The disclosure was objected to because of certain informalities that have been corrected via the amendment to the specification included herein.

5 **Traverse of Rejections Under 35 U.S.C. § 102(e) - Hanson**

Claims 1-5, 7, 8, 16-17, 19 and 20 stand rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Number 6,148,346 issued to Hanson (hereinafter "Hanson"). Applicant respectfully traverses the rejection.

Hanson describes a data communication system that allows
10 communication between various devices across a network. A device driver that includes an operating system-specific portion and an operating system-independent portion facilitates communication between a host computer and a peripheral device. The host computer is thus allowed the ability to receive peripheral device status information and to send controlling commands to the
15 peripheral device. The multi-portioned driver aids in expediting communications across a network that includes systems that utilize different operating systems in different computers.

Anticipation is a legal term of art. Applicant notes that in order to provide a valid finding of anticipation, several conditions must be met: (i) the
20 reference must include every element of the claim within the four corners of the reference (see MPEP §2121); (ii) the elements must be set forth as they are recited in the claim (see MPEP §2131); (iii) the teachings of the reference cannot be modified (see MPEP §706.02, stating that "No question of obviousness is present" in conjunction with anticipation); and (iv) the reference
25 must enable the invention as recited in the claim (see MPEP §2121.01). Additionally, (v) these conditions must be simultaneously satisfied.

The §102 rejection of claims 1-5, 16, 17 and 20 is believed to be in error (note that claims 7, 8 and 19 are canceled). Specifically, the PTO and Federal Circuit provide that §102 anticipation requires that each and every element of the claimed invention be disclosed in a single prior art reference. *In re Spada*, 911 F.2d 705, 15 USPQ2d 1655 (Fed. Cir. 1990). The corollary of this rule is that the absence from a cited §102 reference of any claimed element negates the anticipation. *Kloster Speedsteel AB, et al. v. Crucible, Inc., et al.*, 793 F.2d 1565, 230 USPQ 81 (Fed. Cir. 1986).

No §103 rejection has been lodged regarding claims 1, 5, 16, 17 or 20. Accordingly, if Applicant can demonstrate that Hanson does not disclose any one claimed element with respect to these claims, the §102 rejections must be withdrawn, and a subsequent non-final action made with a different rejection in the event that the Examiner still finds any of such claims to be not allowable.

Applicant notes the requirements of MPEP §2131, which states that "TO ANTICIPATE A CLAIM, THE REFERENCE MUST TEACH EVERY ELEMENT OF THE CLAIM." This MPEP section further states that "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). 'The identical invention must be shown in as complete detail as is contained in the ... claim.' *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Claims 1-5, 7 and 8

Claim 1, as amended, recites a system that includes "a workstation having one or more computers" and "one or more printing devices connected to

at least one computer in the workstation." Claim 1 further recites "a remote diagnostics center *located outside the workstation* configured to communicate with the one or more printing devices and execute a printing device management application to obtain diagnostic data from the one or more printing devices *after receiving explicit authorization to do so from a workstation computer*." (Amendment emphasized). Finally, claim 1 recites that the "*the diagnostic data is simultaneously viewable at the remote diagnostics center and at the workstation computer authorizing the remote diagnostics center to obtain the diagnostic data*." (Amendment emphasized).

10 Hanson does not disclose or anticipate diagnostic data being simultaneously viewable from a remote location and at a workstation computer. Additionally, Hanson does not disclose or anticipate receiving explicit authorization from a workstation computer before obtaining diagnostic data from a peripheral device, i.e. a printing device.

15 Hanson is primarily concerned with facilitating communications between a host computer and one or more peripheral devices to overcome the problem of operating system-dependent device drivers present in a heterogeneous network architecture. In other words, Hanson attempts to resolve problems associated with networks resulting from different computers running different operating systems. As a result, Hanson deals primarily with a host computer's communications with a peripheral device.

25 In contrast, claim 1 is concerned with granting permission to an outside party to receive printing device status/error data so that the outside party can troubleshoot a problem with a network or workstation printing device. Claim 1 also provides that a user of a workstation computer may view the diagnostic data at the same time that the diagnostic data is being viewed at the remote location.

Claim 1 describes a situation in which a workstation computer user is notified of a printing device problem or where the user is performing a status check on the network printing devices. The user activates diagnostic software to analyze the problem or acquire device status. If the user desires that an outside party view the information and assist in a solution to the problem, the user activates a "share window" button on the user interface. This provides access to the outside party. The user then has the option of remaining with the diagnostic information view or relinquishing the view and control to the outside party. (See Specification, page 11, paragraph 3).

The system recited in claim 1 allows a workstation computer user to work with a remote technician to diagnose and solve printing device problems. In such a situation, it is often desirable to have a person on site to assist in troubleshooting. Claim 1 provides this arrangement, which may facilitate solution of the problem.

Hanson does not disclose or anticipate this sort of simultaneous viewing of data at a workstation computer and a remote computer. In the rationale for the rejection of claim 19 (now canceled, but incorporated into amended claim 1), the Office claims that "[r]etaining concurrent access to the displayed diagnostic data is an inherent property of display because a display on a computer screen displaying diagnostic data would allow multiple users to view the displayed diagnostic data concurrently."

In one respect, the Office is correct, to-wit: displaying diagnostic data would allow multiple users to view the displayed diagnostic data concurrently." However, the Office fails to point out where Hanson discloses or anticipates such a feature. Applicant asserts that this feature is *not* inherent in a display as described by claim 1, where a user viewing the data grants access and control to another party but still retains a view of the data and – in some cases – control.

If this feature is inherent, then a reference disclosing such a feature should be readily available.

In addition, the Office Action admits that "Hanson does not reach wherein at least a portion of the printer information management system is
5 stored on an Internet website and is concurrently accessible by two or more users." Office Action dated 5/27/03, page 10, paragraph 2 (related to the discussion of claim 18).

Regarding the requirement of claim 1 that the remote user is granted access only after receiving explicit authorization from a workstation computer,
10 the Office states that Hanson's disclosure of the use of a firewall satisfies this element. Applicant disagrees. Typically, a firewall examines data entering a system in an attempt to screen out potentially damaging data packets. This is not equivalent to granting explicit permission to a remote user to access data within the network/workstation.

15 Claim 1 requires that explicit permission be granted by a workstation computer to a remote diagnostics center located outside the workstation to allow the remote diagnostics center to access a printing device within the workstation. This type of access can be closely controlled by a workstation user, since the user has to identify a third party and then explicitly authorize the
20 third party to access the workstation. Presumably, the workstation user would positively identify the third party before granting such permission. A typical situation where this might arise is when a user is on the phone with a remote technician. The user can then immediately authorize the remote technician to access the private data. In such a situation, a hacker would not be able to spoof
25 an address or use a stolen password to illicitly access the workstation.

Accordingly, claim 1 is allowable over Hanson and the rejection thereof should be withdrawn.

Claims 2-5 depend from claim 1 and are allowable at least by virtue of that dependency. Therefore, the rejection of these claims should be withdrawn.

Claims 7, 8 and 16 are canceled, thus rendering the rejection thereof moot.

5 Claims 16, 17 and 20

Claim 16 has been amended and now recites a method that includes the steps of "initiating a printer information management system from a computer of a workstation having one or more computers and one or more printers connected to the workstation computers, the printer information management
10 system obtaining diagnostic data from the one or more printers," "granting *explicit* permission to a remote user to *view and* control the printer information management system to access the diagnostic data from the one or more printers" and "*viewing the diagnostic data at the workstation computer at the same time that the diagnostic data is being viewed by the remote user.*"

15 Claim 16 is similar to claim 1 in that it requires granting explicit permission to an outside user to view and control the diagnostic data, and allows the workstation computer to display the diagnostic data while it is being viewed/controlled by the outside user.

By the same rationale outlined in the response to the rejection of claim 1,
20 Hanson does not disclose or anticipate the elements of claim 1. Accordingly, claim 16 is allowable over Hanson and the rejection thereof should be withdrawn.

Claims 17 and 20 depend from claim 16 and are allowable at least by virtue of that dependency. Therefore, the rejection of these claims should also
25 be withdrawn.

Traverse of Rejections Under U.S.C. § 102(e) - Wood

Claims 9, 10, 12, 13 and 15 stand rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Number 6,453,127 issued to Wood, et al.
5 (hereinafter "Wood"). Applicant respectfully traverses the rejection.

Wood describes a printing device that operates in accordance with commands provided by one or more remote users of the printing device. A network web server downloads software to a computer at a remote location that provides the remote computer the ability to display a printing device interface
10 display screen page for viewing by a remote user.

Claim 9 recites a method that includes the steps of "communicating with a workstation having one or more computers and at least one printing device connected to a workstation computer," *"receiving explicit authorization from a workstation computer to access printing device diagnostic data,"* and
15 *"receiving and displaying diagnostic data from each printing device of the workstation only if the explicit authorization to access printing device diagnostic data has been received."* (Amendment emphasized).

Claim 9 also recites that *"the diagnostic data that is displayed is simultaneously displayed at the workstation computer that authorized access to the printing device diagnostic data."* (Amendment emphasized).
20

Wood does not recite that a workstation computer and a remote computer have simultaneous viewing capabilities. The Office asserts that Wood teaches wherein diagnostic software stored on an Internet website is concurrently accessible by more than one user. Office Action dated 5/27/03,
25 page 7, paragraph number 4 (regarding claim 13).

However, the concurrent use described in Wood at the excerpts identified in the Office Action relate to multiple computers being able to access the web server and download the program that allows a remote user to connect

with an enterprise printing device and view data related to the printing device.
This is not the same feature as recited in claim 9.

Claim 9 describes displaying printer data at a workstation computer at
the same time that the data is being viewed at a remote computer. This allows
5 two users – one local and one remote – to view the same information about the
same printing device. This is not disclosed or anticipated by Wood.

Accordingly, claim 9 is allowable over Wood and the rejection thereof
should be withdrawn.

Claims 10, 12, 13 and 15 depend from claim 9 and are allowable at least
10 by virtue of that dependency. Therefore, the rejection of these claims should
also be withdrawn.

Traverse of Rejections Under 35 U.S.C. § 103(a)

Claims 6 and 18

Claims 6 and 18 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Hanson and further in view of Wood. Applicant respectfully
5 traverses the rejection.

Claim 6 depends from claim 1 and is allowable at least by virtue of that dependency. As previously shown, there is no suggestion or motivation within Hanson to provide for simultaneous viewing of the printing device diagnostic data as required by claim 6 (by way of claim 1). In addition, Wood fails to cure
10 the deficiencies of Hanson and lacks any teaching, disclosure, suggestion or motivation for this element of claim 6.

Accordingly, claim 6 is allowable over the cited references and the rejection thereof should be withdrawn.

Claim 18 depends from claim 16 and is allowable at least by virtue of
15 that dependency. As previously discussed, claim 16 recites elements that include, inter alia, providing for simultaneous viewing of workstation printing device diagnostic data on a workstation computer and a remote computer. As previously shown, there is no suggestion or motivation within Hanson to provide for this particular element. The addition of Wood to the analysis does
20 not provide sound support for the rejection, as previously shown in the response to the rejection of claim 16.

Accordingly, claim 18 is allowable over the cited references and the rejection thereof should be withdrawn.

Claim 11

25 Claim 11 stands rejected under 35 U.S.C.(a) as being unpatentable over Wood and further in view of U.S. Patent Number 5,727,135 issued to Webb, et al. (hereinafter "Webb"). Applicant respectfully traverses the rejection.

Webb describes a two-way communication system that allows for a host computer to display a real-time, visual and functional replica of an operator panel on a selected printing device. Multiple printing devices may be monitored by the same host computer.

5 **Claim 11** depends from claim 9 and is allowable at least by virtue of that dependency. Claim 11, via claim 9, requires that a remote user be granted explicit permission before being allowed to access workstation printing devices. In addition, claim 11 provides for simultaneous viewing of printing device diagnostic data on a workstation computer and a remote computer. In the
10 response to the rejection of claim 9, above, it has been shown that Wood does not disclose or anticipate these features.

Applicant contends that Webb does not teach or suggest either of these elements recited in claim 11 (by way of the dependency on claim 9). Webb only teaches that a workstation computer can display printing device
15 information simultaneously with a display on the printing device. For one thing, the printing device is located within the workstation. For another, the description provided by Webb does not suggest two computers having access to the printing device and displaying printing device data, with one computer being local and one computer being remote.

20 As such, neither of the cited references nor a combination thereof teach or suggest the elements recited in claim 11. Therefore, the rejection of claim 11 should be withdrawn.

Claim 14

Claim 14 stands rejected under 35 U.S.C. 103(a) as being unpatentable
25 over Wood and further in view of Hanson. Claim 14 has been canceled thus rendering the rejection thereof moot.

Conclusion

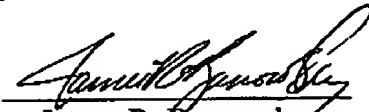
All pending claims 1-6, 9, 10, 12, 13, 15-18 and 20 are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the subject application. If any issues remain that prevent issuance
5 of this application, the Examiner is urged to contact the undersigned attorney before issuing a subsequent Action.

Respectfully Submitted,

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